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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,792	07/30/2003	Takeshi Kato	011350-314	9403

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EXAMINER

LIN, SHEW FEN

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2166

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/629,792	Applicant(s) KATO, TAKESHI	
	Examiner Shew-Fen Lin	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION:

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/27/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5, 8, 13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5, 8, 13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/7/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- a. This action is taken in response to remarks filed on 1/1/2007.
- b. Claims 5, 8, and 13-14 are pending in this Office Action. Claims 5, 8, and 13 are independent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 5, 8, and 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Parulski et al. (US Patent Publication 2003/0193603, hereinafter referred to as Parulski).

As to claims 5 and 13-14, Parulski discloses a file storage device (Figure 6, paragraph [0040]) that is capable of communicating with a portable terminal (Figure 6, item 12), comprising:

a thumbnail image (display size image of high resolution image file, paragraph [0025]) transmitting part for transmitting a thumbnail image for a specified file to said portable terminal in response to a request from said portable terminal (paragraph [0008], [0058]);

an enlarged image generating part that is responsive to a request from said portable terminal containing an enlarging ratio relative to said thumbnail image (zoom, Figure 8B, item 422), for generating an enlarged image corresponding to said enlarging ratio relative to said thumbnail image (paragraph [0060]); and

an enlarged image transmitting part for transmitting the enlarged image generated by said enlarged image generating part to said portable terminal(Figure 8B, items 422, 424, Figure 10A/B/C).

As to claim 8, Parulski discloses a printing system (Figure 6), comprising:

a file storage device for storing a file (Figure 6, item 286);

a printing device communicable with said file storage device (Figure 6, item 278); and

a portable terminal communicable with said file storage device (Figure 6, item 12),

wherein

a file stored in said file storage device is printed by said printing device based on an instruction from said portable terminal (Figure 10B, item 428, paragraph [0022]);

said file storage device including:

a thumbnail image (display size image of high resolution image file, paragraph [0025])
transmitting part for transmitting a thumbnail image for a specified file to said portable terminal in response to a request from said portable terminal (paragraph [0008], [0058]);

an enlarged image generating part that is responsive to a request from said portable terminal containing an enlarging ratio relative to said thumbnail image (zoom, Figure 8B, item

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422), for generating an enlarged image corresponding to said enlarging ratio relative to said thumbnail image (paragraph [0008], [0060], Figure 10A/B); and

an enlarged image transmitting part for transmitting the enlarged image generated by said enlarged image generating part to said portable terminal (Figure 8B, items 422, 424, Figure 10A/B/C);

said portable terminal including:

a display part for displaying the thumbnail image (Figure 6, item 56, Figure 9, item 56) and the enlarged image received from said file storage device (Figure 10A/B/C).

Response to Arguments

Applicant's arguments with respect to Claims 5, 8, and 13-14 have been considered, but they are not deemed to be persuasive.

Applicant argues that Parulski does not teach "an enlarging ratio relative to said thumbnail image." Rather, Parulski merely suggests that a zoom request is sent from the portable phone. The Examiner respectfully disagrees.

Applicant is reminded that the Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification. As admitted by Applicant that Parulski sending a zoom request, and zoom function is "to enlarge a selected portion of a graphical image or document to fill a window or the screen" (Microsoft computer dictionary, fifth edition, 2002), i.e. zoom function contains a predefined enlarging ratio relative to the

image/document. In addition, Parulski discloses that the user selects the zoom function for a “larger” center area of the image as shown in paragraph [0060].

Applicant argues that Parulski does not teach “the image generating part.” Rather, the system merely retrieves and transmits image data that was previously stored. The Examiner respectfully disagrees.

Parulski clearly teaches generating enlarged image as shown in paragraph [0008] and Figs. 10A/B, “in response to a selection of the zoom mode of operation, transmitting a first image area of the high resolution image and storing the first image area in the memory, the first image area comprising a portion of the high resolution image”. Parulski teaches generating a portion of image to be transferred.

Thus, for the above reasons, it is believed that the rejection under 35 U.S.C. 102 provides substantial evidence to support the rationale statement in the above rejection, and the rejection under 35 U.S.C. 102 should be sustained.

Related Prior Arts

The following list of prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Watanabe; Mikio, US 7027084 B1, “Image communication system and an

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shew-Fen Lin whose telephone number is 571-272-2672. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

July 6, 2007

Shew-Fen Lin
Patent Examiner
Art Unit 2166


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER